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NO JS-6

12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,)	No. CV 07-00595 DDP(CTx)
)	
16 Plaintiff,)	CONSENT JUDGMENT OF FORFEITURE
)	AS TO THE FOLLOWING DEFENDANT
17 v.)	ASSETS ONLY: \$885,732.10 OF THE
)	DEFENDANT \$1,226,460.90 IN U.S.
18 \$1,226,460.90 IN U.S.)	ACCOUNT FUNDS
ACCOUNT FUNDS AND)	
19 \$45,000.00 IN U.S.)	[This Proposed Consent Judgment
CURRENCY,)	Is Not Dispositive Of This
20)	Entire Action]
Defendants.)	
21)	

22 WILLIAM POLK HARRINGTON II,
 SUDIE HILLER AND CHANDRESH
 23 B. SHAH,

24 Claimants.
 25

26 On or about January 25, 2007, plaintiff United States of
 27 America ("the government" or "the United States of America") filed
 28 a Complaint for Forfeiture alleging that the defendants

1 \$1,226,460.90 in U.S. Account Funds and \$45,000.00 in U.S. Currency
2 (collectively, the "defendants") are subject to forfeiture pursuant
3 to 18 U.S.C. §§ 981(a)(1)(A) and (C) and 21 U.S.C. § 881(a)(6).

4 On or about March 1 and 7, 2007, claimant William Polk
5 Harrington II filed a verified and amended verified claim,
6 respectively, to the defendants. On or about April 3, 2007,
7 claimant William Polk Harrington II filed a second amended verified
8 claim to \$885,732.10 of the defendant \$1,226,460.90 in U.S. Account
9 Funds. The \$885,732.10 in account funds (the "Harrington-claimed
10 defendant") which are the subject matter of William Polk
11 Harrington's second amended verified claim are as follows:

12 a. \$512,308.30 in account funds seized from
13 Wachovia Bank account number XXXXXXXXXX3503 in the name of
14 "The Direct Meds" with William Polk Harrington, also
15 known as Bill P. Harrington, as the sole signatory;

16 b. \$39,016.62 in account funds seized from
17 Wachovia bank account number XXXXXXXXXX8926 in the name of
18 William Polk Harrington, also known as Bill P.
19 Harrington, as the sole signatory;

20 c. \$87,756.88 in account funds seized from
21 Wachovia Bank account number XXXXXXXXXX8939 in the name of
22 William Polk Harrington, also known as Bill P.
23 Harrington, as the sole signatory; and

24 d. \$246,650.30 in account funds seized from
25 Wachovia Bank account number XXXXXXXXXX3723 in the name of
26 Direct Meds, Inc., with William Polk Harrington, also
27 known as Bill P. Harrington, as the sole signatory.

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1 On or about March 2, 2007, claimant Sudie Hiller filed a
2 verified claim against that portion of the defendant \$1,226,460.90
3 in U.S. Account Funds not claimed by claimant William Polk
4 Harrington III (i.e., \$340,728.80 of the defendant \$1,226,460.90 in
5 U.S. Account Funds). The account funds which are the subject
6 matter of claimant Sudie Hiller's claim are \$340,728.90 in account
7 funds seized from Wachovia Bank account number XXXXXXXXX2645 in the
8 name of Oualie, Inc., with Sudie Turpin Hiller, also known as S.J.
9 Turpinhiller, as the sole signatory.

10 On or about March 2, 2007, claimant Chandresh B. Shah filed a
11 verified claim to defendant \$45,000.00 in U.S. Currency.

12 Claimants William Polk Harrington II, Sudie Hiller and
13 Chandresh B. Shah filed their respective answers to the complaint
14 on or about March 22, 2007. No other parties have appeared in this
15 case.

16 The government and claimant William Polk Harrington II have
17 now agreed to settle this matter as to the Harrington-claimed
18 defendant and to avoid further litigation between them by entering
19 into this Consent Judgment of Forfeiture.

20 The Court having been duly advised of and having considered
21 the matter, and based upon the mutual consent of the parties
22 hereto,

23 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

24 1. This Court has jurisdiction over the subject matter of
25 this action and over the parties to this Consent Judgment of
26 Forfeiture.

27 2. As between plaintiff United States of America and
28 claimant William Polk Harrington II, the Complaint for Forfeiture

1 states a claim for relief pursuant to 18 U.S.C. §§ 981(a)(1)(A) and
2 (C) and 21 U.S.C. § 881(a)(6).

3 3. Notice of this action has been given as required by law.
4 No appearances have been made in this case by any person with
5 respect to the Harrington-claimed defendant other than claimant
6 William Polk Harrington II. The Court deems that all other
7 potential claimants, except for Sudie Hiller and Chandresh B. Shah,
8 admit the allegations of the Complaint for Forfeiture to be true as
9 to the Harrington-claimed defendant.

10 4. The Harrington-claimed defendant (i.e., \$885,732.10 of
11 the defendant \$1,226,460.90 in U.S. Account Funds), plus all
12 interest earned by the United States of America on the Harrington-
13 claimed defendant, shall be condemned and forfeited to the United
14 States of America, which shall dispose of those funds in accordance
15 with law.

16 5. Claimant William Polk Harrington II hereby releases the
17 United States of America, its agencies, agents, officers, employees
18 and representatives, including, without limitation, all agents,
19 officers, employees and representatives of the Federal Bureau of
20 Investigation, the Drug Enforcement Administration and the
21 Department of Justice and their respective agencies, as well as all
22 agents, officers, employees and representatives of any state or
23 local governmental or law enforcement agency involved in the
24 investigation or prosecution of this matter, from any and all
25 claims, actions, or liabilities arising out of or related to this
26 action, including, without limitation, any claim for attorney fees,
27 costs, and interest, which may be asserted by or on behalf of

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1 claimant William Polk Harrington II, whether pursuant to 28 U.S.C.
2 § 2465 or otherwise.

3 6. The Court finds that there was reasonable cause for the
4 seizure of the Harrington-claimed defendant and institution of
5 these proceedings against the Harrington-claimed defendant. This
6 judgment shall be construed as a certificate of reasonable cause
7 pursuant to 28 U.S.C. § 2465 as to the Harrington-claimed
8 defendant.

9 7. The Court further finds that claimant William Polk
10 Harrington II did not substantially prevail in this action, and
11 each of the parties hereto shall bear its own attorney fees and
12 costs.

13
14 DATED: May 13, 2008



16 THE HONORABLE DEAN D. PREGERSON
17 UNITED STATES DISTRICT JUDGE
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CONSENT

The parties hereto consent to the above judgment and waive any right to appeal this judgment.

DATED: April 4, 2008

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DATED: March 13, 2008

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WILLIAM POLK HARRINGTON II